GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department – Allegations leveled against Sri M.R.Prasad Gupta, Town Planning Officer (retired) and three (3) other town planning officials of Srikakulam Municipal Corporation - Irregularities committed in approving the building plans without collecting the betterment charges and 10% open space charges from the applicants as per rules in Srikakulam Municipal Corporation - Departmental proceedings initiated - Enquiry conducted - Charges held 'proved' against Sri M.R.Prasad Gupta, Town Planning Officer (retired) – Imposing a penalty of "10% cut in pension for a period of two (2) years" – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.267 **Dated:29.04.2022.**

Read the following:

1) From the C&DMA., A.P., Hyderabad, Lr.Roc.No.3656/2006-C1, dated.02.07.2007.
2) G.O.Rt.No.284, MA&UD (L1) Department, dated.17.04.2009.
3) G.O.Rt.No.550, MA&UD (L1) Department, dated.17.04.2009.
4) Written Statement of Defence of Sri M.R.Prasad Gupta, TPO (retired), Srikakulam Municipality, dated.05.08.2009.
5) G.O.Rt.No.944, MA&UD (Vig.I) Department, dated.03.10.2018.
6) G.O.Rt.No.945, MA&UD (Vig.I) Department, dated.03.10.2018.
7) Inquiry Report from Sri S.S.Varma, RDMA., & Inquiry Officer, Visakhapatnam, Letter Roc.No.205506/2018/A3, dt.04.05.2019 received through the C&DMA., A.P., Guntur, Letter Roc.No.3656/2006/C1, dated.09.05.2019.
8) Govt.Memo.No.13682/Vig.I/2007, dated.05.08.2019.
9) Govt.Memo.No.13682/Vig.I/2007, dated.05.04.2021.
10) Govt. Letter No.13682/Vig.I/2007, dated.10.01.2022.
11) From the APPSC, A.P, Vijayawada, Lr.No.77/DC&C/2022, dt.31.03.2022.

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O R D E R:

Whereas, in the reference 1st read above, based on the report of the Regional Director cum Appellate Commissioner of Municipal Administration, Visakhapatnam in respect of the allegations leveled against the Municipal Commissioner and Town Planning Officials of Srikakulam Municipality regarding irregularities committed in approving the building plans without collecting the betterment charges and 10% open space charges from the applicants as per rules, the C&DMA., A.P., Hyderabad recommended to initiate disciplinary proceedings against the Municipal Commissioner and Town Planning Officials of Srikakulam Municipality.

2. Whereas, in the reference 2nd & 3rd read above, among others, Government initiated disciplinary proceedings duly framing the articles of charges against Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam and directed him to submit his written statement of defence thereon.

(P.T.O.)

3. Whereas, in the reference 4th read above, one of the charged officers Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam Municipality has submitted his written statement of defence duly denying the charges framed against him and requested to drop further action.

4. Whereas, Government having not convinced with the written statement of defence submitted by the charged officer, issued orders in the G.O. 5th read above, appointing Sri S.S.Varma, Regional Director cum Appellate Commissioner of Municipal Administration, Visakhapatnam as an Inquiry Officer to enquire into the charges framed against all the four (4) charged officers including Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam Municipality. In the G.O. 6th read above, the Assistant Commissioner, Srikakulam Municipal Corporation, was appointed as Presenting Officer, to present the case before the Inquiry Officer on behalf of Disciplinary Authority.

5. Whereas, in the reference 7th read above, Sri S.S.Varma, Regional Director cum Appellate Commissioner of Municipal Administration, Visakhapatnam has submitted his enquiry report stating that, out of three charges framed against Sri M.R.Prasad Gupta, TPO (retired), two charges are proved in the enquiry.

6. Whereas, Government examined the Inquiry Report in detail and in the reference 8th read above, while communicating a copy of Inquiry Report to all the charged officers under Rule 21 (2) of APCS (CC&A) Rules, 1991, the charged officers were directed to submit their written representations if any, on the findings of the Inquiry Officer. The charged officer Sri M.R.Prasad Gupta, TPO (retired), Srikakulam Municipality has not submitted his written explanation.

7. Government after careful examination of the matter and keeping in view of the findings of enquiry report, it has been provisionally decided to impose a penalty of "10% cut in pension for a period of two (2) years" against Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam Municipality and issued a show cause notice, calling for explanations as to why the said penalty cannot be imposed against him under Rule-9 of A.P. Revised Pension Rules, 1980, vide reference 9th read above. The DTCP., has stated that the Service Register and Pension file in respect of delinquent officer is not available and whereabouts are also not known and requested to take further action.

8. Government after careful examination of the matter; keeping in view the findings of the Enquiry Report, and after following due procedure, it has been provisionally decided to impose a penalty of "10% cut in pension for a period of two (2) years" against Sri M.R.Prasad Gupta, Town Planning Officer (retired).

9. In the reference 10th read above, the Secretary, A.P. Public Service Commission, Vijayawada was requested to convey the concurrence of the Commission to the Government proposal.

10. In the reference 11th read above, the Secretary, A.P. Public Service Commission, Vijayawada has informed that, Commission agrees with the proposals of the Government, to impose a penalty of "10% cut in pension for a

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period of two (2) years" against Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam Municipality and advised accordingly.

11. Government after careful and detailed examination of the matter, have decided to confirm the provisional decision of penalty of "10% cut in pension for a period of two (2) years" against Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam Municipality, under Rule-9 of A.P. Revised Pension Rules, 1980.

12. Accordingly, Government hereby order to impose a penalty of "10% cut in pension for a period of two (2) years" against Sri M.R.Prasad Gupta, Town Planning Officer (retired), Srikakulam Municipality, under Rule-9 of A.P. Revised Pension Rules, 1980.

12. The Director of Town & Country Planning, A.P., Guntur shall take further necessary action in the matter, accordingly.

13. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.R.Prasad Gupta, Town Planning Officer (retired),
Srikakulam Municipal Corporation - **through** the DTCP., A.P., Guntur.
The Director of Town & Country Planning, A.P., Guntur.

Copy to:
The Commissioner & Director of Municipal Administration, A.P., Guntur.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, A.P. Public Service Commission, A.P., Vijayawada.
The Commissioner, Srikakulam Municipal Corporation, Srikakulam District.
The Accountant General (A&E), A.P., Hyderabad.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Pay and Accounts Officer, Ibrahimpatnam, A.P., Krishna District.
SF / SCs.

// FORWARDED BY ORDER //

SECTION OFFICER.